

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

RYAN DILLON,

Petitioner, : Case No. 3:20-cv-180

- vs -

District Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

RON ERDOS, Warden,
Southern Ohio Correctional Facility,

:

Respondent.

DECISION AND ORDER

Petitioner Ryan Dillon brought this habeas corpus action *pro se* pursuant to 28 U.S.C. § 2254 to obtain relief from his conviction in the Clark County Common Pleas Court on charges of murder, tampering with evidence, and receiving stolen property. Upon initial review under Rule 4 of the Rules Governing § 2254 Cases, the Magistrate Judge found the Petition was barred by the statute of limitations and recommended that it be dismissed with prejudice (Report, ECF No. 2).

The Report was filed and served on May 2, 2020. Dillon was advised that he could object within seventeen days or by May 19, 2020. That time has now expired and Dillon has filed no objections.

Accordingly, the Report is ADOPTED and the Petition herein order dismissed with prejudice. Because reasonable jurists would not disagree with this conclusion, Petitioner is denied a certificate of appealability and the Court certifies to the Sixth Circuit that any appeal would be objectively frivolous and should not be permitted to proceed *in forma pauperis*.

Pursuant to Fed.R.Civ.P. 58, the Clerk shall enter judgment to this effect.

IT IS SO ORDERED.

June 12, 2020.

*s/Thomas M. Rose

Thomas M. Rose
United States District Judge